

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, January 25, 2011**

Present: Commissioner President Francis Jack Russell
Commissioner Lawrence D. Jarboe
Commissioner Cynthia L. Jones
Commissioner Daniel L. Morris
Commissioner Todd B. Morgan
John Savich, County Administrator
Sharon Ferris (Recorder)

**JOINT MEETING OF THE BOARD OF COUNTY COMMISSIONERS AND THE
COMMANDING OFFICER, NAVAL AIR STATION (NAS) PATUXENT RIVER:
ENCROACHMENT MITIGATION AND PREVENTION**

Present: CAPT Stephen Schmeiser, NAS Commanding Officer, CAPT Ted Mills
Mr. Mike Quigley, Executive Director, NAS/PAX
Mr. Leroy Mattingly, AICUZ Manager, NAS/PAX
Mr. Ed Ziegler, NDW/PAO
Mr. Gary Kessler, Executive Director, NAWCAD
St. Mary's County Government Staff: John Savich County Administrator;
Donna Gebicke, Administrative Assistant to the Board of County Commissioners;
Bob Schaller, Director, Dept. of Economic and Community Development;
Derick Berlage, Director, Dept. Land Use and Growth Management;
Ms. Robin Finnacom, Director, Community Development Corporation
Karen Everett, Public Information Officer

The Commissioners met with the Commanding Officer and representatives of NAS Patuxent River at 9:00 am at the Frank Knox Employment Development Center at NAS/PAX River for the semi-annual encroachment mitigation and prevention meeting. Topics covered at the meeting included recognition of 100 years of Naval Aviation being celebrated this year, updates on the "Navy Shore Vision 2035," the St. Mary's County Lexington Park Master Plan, Lexington Park Development District Master Plan, Lexington Park Revitalization, and the Navy's Joint Land Use Study. It was suggested that future joint meetings be referred to as "St. Mary's County-Patuxent River Naval Air Station Community Partnership Meeting." The joint meeting was followed by a tour of several sites on the base.

CALL TO ORDER

Commissioner President Russell called the business meeting to order at 2:00 pm at the Chesapeake Building meeting room, Governmental Center campus.

ADDITIONS/DELETIONS TO AGENDA

Mr. Savich suggested the addition of an Executive Session for the purpose of reviewing litigation.

Commissioner Morgan moved, seconded by Commissioner Jarboe, to enter into Executive Session at approximately 3:45 pm to discuss Litigation. Motion carried 5-0.

ADOPTION OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Morgan, to adopt the minutes of the meeting of January 18, 2011, as presented. Motion carried 5-0.

COUNTY ADMINISTRATOR

1. Draft Agendas for February 1 and 8, 2011

2. Department of Public Works and Transportation (*George Erichsen, Director*)

Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to sign a Claim Letter in the amount of \$25,000 to the Selective Insurance Company of America for the Grading Agreement issued for Willowgate at Patuxent Park West Subdivision, located in the Eighth (8th) Election District. Motion carried 5-0.

3. Department of Human Services (*Cynthia Brown, Interim Director; Julie Ohman, Mental Health Coordinator*)

Commissioner Jarboe moved, seconded by Commissioner Jones, to approve and authorize Commissioner President Russell to execute the Grant Certification and Disclosure documentation required by the State for the FY2012 Core Service Agency (CSA) Memorandum of Understanding for Services/Administration Grant related to (Agreement MH 486 OTH) projects MD1282 through MD1286, MD1290, MD1292, US1289 and MD1253, from the Maryland Department of Health and Mental Hygiene on behalf of the St. Mary's County Department of Human Services. Motion carried 5-0.

4. Department of Public Safety (*Dave Zylak, Director*)

Commissioner Jarboe moved, seconded by Commissioner Morris, to approve the Southern Maryland Interoperability Executive Committee (SMIEC) governance structure and by-laws and to authorize Commissioner President to execute SMIEC by-

laws on behalf of the Department of Public Safety and to execute the budget amendment closing out the Interoperability Emergency Communication Grant Project US0969 and returning the remaining project funds in the amount of \$94,251 to the supplemental reserve. Motion carried 5-0.

5. Office of the County Attorney (*George Sparling, County Attorney; Brad Clements, Chief Operating Officer, St. Mary's County Public Schools*)

Commissioner Morris moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Jack Russell to execute a Right-of-Entry Agreement and a Development Review Application to permit the St. Mary's County Board of Education to conduct tests and evaluations of, and to obtain review by Technical Evaluation Committee, of Lot 1, "Elementary School Site," per plat of Minor Subdivision by Loiederman Soltesz Associates, Inc., dated October 13, 2010, being property owned by St. Mary's County and approved as the site of a new elementary school. Motion carried 5-0.

6. County Administrator

Board/Committee Appointments

Commissioner Jones moved, seconded by Commissioner Morris, to appoint the following persons to Boards, Committees, or Commissions with the terms to expire as indicated. Motion carried 4-0. (Commissioner Morgan was not in the room when vote was taken)

Board of Trustees, Museum Division

Jennifer Legates	12/31/2015
Eleanor Slater	12/31/2015
Francene Walling	12/31/2015
Dale Springer	12/31/2015

Commission for People with Disabilities

Pamala Emplit	12/31/2014
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Commission on the Environment

Paul DiBenedetto	12/31/2014
Larry Langley	12/31/2014

Ethics Commission

Sean Rogers	12/31/2013
Kathy Suite (Alternate Member)	06/30/2012 (Partial)

Housing Authority Board

Stephanie Proctor (Reappointment) 12/31/2015

Library Board of Trustees

Alan Dillingham (Reappointment) 12/31/2015

St. Mary's County Retiree Benefit Board of Trustees

Mary Ann Murray (Reappointment) 12/31/2014

Planning Commission

Merl Evans (Reappointment) 12/31/2015

Susan McNeill (Reappointment) 12/31/2015

Harold Willard 12/31/2015

Recreation and Parks Advisory Board

Patrick Dugan (Reappointment) 12/31/2014

Al Harrison (Reappointment) 12/31/2014

Robert Hicks (Reappointment) 12/31/2014

David Phalen (Reappointment) 12/31/2014

Lisa Rush (Reappointment) 12/31/2014

Social Services Board

Ella Somerville 12/31/2013

Tri-County Animal Shelter Advisory Board

Robert Hicks 12/31/2014

Tri-County Youth Services Bureau

Alma Shearin (Reappointment) 12/31/2012

Wicomico Shores Golf Course Advisory Board

Gerald Slagle 12/31/2014

Robert Collier 12/31/2014

DECISION ON PROPOSED ABANDONMENT OF PAGE ROAD RIGHT-OF-WAY

Present: David Weiskopf, Deputy County Attorney

Mr. Weiskopf requested adoption of a Resolution to finalize the abandonment and transfer of Page Road to Robert A. Morehouse and Deborah A. O'Donnell. Page Road, a 40 foot right-of-way, was recorded in 1952 and dedicated to public use on a subdivision plat. The road was never constructed and there are no plans to do so. The abutting property owners, Mr. Morehouse and Ms. O'Donnell, requested that the road be closed and the County execute a deed granting the road back to them. The Board of County Commissioners held a public hearing on this matter on

May 4, 2010. No public comments other than those of the property owner, Mr. Morehouse, and his attorney, Mr. Densford, were received at the hearing or during the open record period.

Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve and adopt a Resolution to abandon and transfer Page Road, containing 0.75 acres of land, located in the First (1st) Election District of St. Mary's County to Robert A. Morehouse and Deborah A. O'Donnell. Motion carried 5-0.

DECISION ON PROPOSED AMENDMENT TO CHAPTER 267 OF THE ST. MARY'S COUNTY CODE TO EXTEND THE PROPERTY TAX CREDIT FOR CERTAIN FIRE PROTECTION RESIDENTIAL SPRINKLER SYSTEMS

Present: George Sparling, County Attorney
Derick Berlage, Director, Dept. Land Use and Growth Management

The property tax credit for certain fire protection residential sprinkler systems adopted in 2008 will expire on February 1, 2011. Following a public hearing on January 11, 2011, Mr. Sparling drafted a proposed Ordinance leaving the credit amount and extension timeframe to the discretion of the Board. Mr. Berlage recommended extending the Ordinance for three years to coincide with the next review of the International Building Code. The Commissioners supported the recommendation. Commissioner Morgan suggested increasing the amounts for new construction and retrofit by \$500 each.

Commissioner Morgan moved: In the second part of the motion relative to the credits, I would propose that the amount of the credit remain at \$26,250 on an annually appropriated basis, but on a per house unit, the amount of the new construction credit would be \$2,000, and the amount of the retrofit credit would increase by \$500 to \$2,500. Motion failed for lack of a second.

Commissioner Jarboe moved, seconded by Commissioner Jones, to adopt the proposed Ordinance to amend Section 267-71 of the St. Mary's County Code to extend the property tax credit for certain fire protection residential sprinkler systems with the following additions: period of extension shall be from February 1, 2008, through February 1, 2014, and amount of credit shall be \$1,500 for new residence and \$2,000 to retrofit. Motion carried 5-0.

COMMISSIONER'S TIME

The Commissioners highlighted events attended over the past week.

Commissioner Morris questioned entries on the check register for rental property payments and work boot purchase and subsequent reimbursement.

EXECUTIVE SESSION

Present: Commissioner Francis Jack Russell, President
Commissioner Lawrence D. Jarboe
Commissioner Cynthia L. Jones
Commissioner Daniel L. Morris
Commissioner Todd B. Morgan
John Savich, County Administrator
George Sparling, County Attorney
David Weiskopf, Deputy County Attorney
Phil Rollins, Director, Recreation and Parks Department
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)8
Time Held: 3:16 pm –3:24 pm
Subject Discussed: Litigation

MOTION IN OPEN SESSION

Commissioner Jarboe moved, seconded by Commissioner Morris, to direct staff to proceed as discussed in Executive Session. Motion carried 5-0.

ADJOURNMENT

The meeting of the Board of County Commissioners adjourned at 3:26 pm.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)